

Amendments to House Bill No. 235
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EXHIBIT
DATE 2/6/07
HB 235

Requested by Representative Brady Wiseman

For the House Local Government Committee

Prepared by Sonja Lee
February 2, 2007 (8:42am)

1. Title, page 1, line 8.

Following: "7-12-1111,"

Insert: "7-12-1121, 7-12-1132,"

2. Page 2, line 3.

Insert: "Section 3. Section 7-12-1121, MCA, is amended to read:

"7-12-1121. Board of trustees -- appointment -- number -- term of office. (1) When the governing body of a local government adopts an ordinance creating a business improvement district, the appointing authority, with the approval of the governing body, shall appoint not less than five or more than seven owners of property within the district to comprise compose the board of trustees of the district. The membership of a board of trustees for a business improvement district created for the purpose of 7-12-1102(4) must include the director of a nonprofit convention and visitors bureau, as defined in 15-65-101, if a nonprofit convention and visitors bureau is operating within the governing body's jurisdiction.

(2) The number of members of the board, once established, may be changed within these limits from time to time by subsequent resolutions of the governing body of the local government. A resolution to reduce board membership may not require resignation of any member prior to completion of his the member's appointed term.

(3) Three of the members who are first appointed must be designated to serve for terms of 1, 2, and 3 years, respectively, from the date of their appointments, and two must be designated to serve for terms of 4 years from the date of their appointments. For a seven-member commission, there must be two additional appointments for terms of 2 years and 3 years, respectively.

(4) After initial appointment, members must be appointed for a term of office of 4 years, except that a vacancy occurring during a term must be filled for the unexpired term. A member shall hold office until his the member's successor has been appointed and qualified."

{Internal References to 7-12-1121:

7-12-1103X 7-14-4609X}"

Insert: "Section 4. Section 7-12-1132, MCA, is amended to read:

"7-12-1132. Annual budget and work plan -- approval --

procedure -- tax. (1) At a time determined by the governing body, the board shall submit to the governing body for approval a work plan and budget for the ensuing fiscal year.

(2) A board created for the purpose of 7-12-1102(4) in a municipality or county where a nonprofit convention and visitors bureau, as defined in 15-65-101, is operating shall consult with the nonprofit convention and visitors bureau in developing a work plan and budget for the ensuing fiscal year.

~~(2)~~(3) Following public notice that a work plan and budget have been submitted and that the governing body will levy an assessment to defray the cost of the work plan and budget, the governing body shall hold a public hearing on objections to the work plan and budget. After the hearing, the governing body may modify the work plan and budget as it considers necessary and appropriate.

~~(3)~~(4) After approval of the work plan and budget and to defray the cost ~~thereof of the work plan and budget~~ for the next fiscal year, the governing body shall by resolution levy an assessment upon all of the property in the district, using as a basis one of the methods prescribed in 7-12-1133.

~~(4)~~(5) A copy of the resolution ~~shall~~ must be delivered to the treasurer of the local government to be placed on the tax roll and collected in the same manner as other taxes."

{Internal References to 7-12-1132:

7-12-1133A}"

Renumber: subsequent section

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